

April 2004

Update: Traffic Benchbook— Revised Edition, Volume 1

CHAPTER 1

Required Procedures for Civil Infractions

Part F—Civil Sanctions and Licensing Sanctions

1.34 Civil Fines

Replace the last sentence of the second paragraph on page 1-40 with the following language:

Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” Effective April 8, 2004, 2003 PA 315 added section 79d to the vehicle code, which provides the following definition of “work zone”:

“‘Work zone’ means a portion of a street or highway that meets any of the following:

“(a) Is between a ‘work zone begins’ sign and an ‘end road work’ sign.

“(b) For construction, maintenance, or utility work activities conducted by a work crew and more than 1 moving vehicle, is between a ‘begin work convoy’ sign and an ‘end work convoy’ sign.

“(c) For construction, maintenance, surveying, or utility work activities conducted by a work crew and 1 moving or stationary vehicle exhibiting a rotating beacon or strobe light, is between the following points:

“(i) A point that is 150 feet behind the rear of the vehicle or that is the point from which the beacon or strobe light is first visible on the street or highway behind the vehicle, whichever is closer to the vehicle.

“(ii) A point that is 150 feet in front of the front of the vehicle or that is the point from which the beacon or strobe light is first visible on the street or highway in front of the vehicle, whichever is closer to the vehicle.” MCL 257.79d.

CHAPTER 2

Civil Infractions

2.3 Overtaking or Passing

D. Civil Sanctions for Overtaking or Passing Violations

1. Standard civil sanctions for overtaking or passing violations

Replace the last sentence of the text in #1 on page 2-8 with the following:

Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b. (**Note:** Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.)

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.5 Railroad Crossings

D. Civil Sanctions for Railroad Crossing Violations

1. Standard civil sanctions for railroad crossing violations

Replace the text in #1 near the middle of page 2-16 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.6 Right-of-Way or Failure to Yield

J. Civil Sanctions for Right-of-Way or Failure to Yield Violations

1. Standard civil sanctions for right-of-way or failure to yield violations

Replace the text in #1 at the bottom of page 2-20 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.8 Speed Violations

B. Absolute Speed Laws

Replace the text of the second bullet on page 2-28 with the following:

- 45 mph—work zones* due to highway construction, maintenance, or surveying, MCL 257.627(9).

*Effective April 8, 2004, 2003 PA 315, MCL 257.79d defines “work zone” as the phrase is used in MCL 257.627(9).

2.8 Speed Violations

D. Speed Violations

Replace the text of the fourth bullet on page 2-29 with the following:

- exceeding speed limit in work zone,* MCL 257.627(9);

*Effective April 8, 2004, 2003 PA 315, MCL 257.79d defines “work zone” as the phrase is used in MCL 257.627(9).

2.8 Speed Violations

F. Civil Sanctions for Speed Violations

1. Standard civil sanctions for speed violations

Replace the text in #1 near the middle of page 2-30 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.9 Stop and Go, Signs and Signals

D. Civil Sanctions for Stop and Go, Sign and Signal Violations

1. Standard civil sanctions for stop and go, sign and signal violations

Replace the text in #1 at the bottom of page 2-38 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.10 Turning and Signaling

H. Civil Sanctions for Turning and Signaling Violations

1. Standard civil sanctions for turning and signaling violations

Replace the text in #1 at the top of page 2-42 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.11 Wrong Side or Wrong Way

E. Civil Sanctions for Wrong Side or Wrong Way Violations

1. Standard civil sanctions for wrong side or wrong way violations

Replace the text in #1 at the top of page 2-45 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.12 Careless Driving

C. Civil Sanctions

1. Standard civil sanctions for careless driving

Replace the text in #1 near the middle of page 2-46 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.13 Coasting

C. Civil Sanctions

1. Standard civil sanctions for coasting

Replace the text in #1 beginning at the bottom of page 2-47 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.14 Driving Over Fire Hose

C. Civil Sanctions

1. Standard civil sanctions for driving over fire hose

Replace the text in #1 on page 2-49 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.16 Failing to Stop for School Bus

D. Civil Sanctions

1. Standard civil sanctions for failing to stop for a school bus

Replace the text in #1 near the middle of page 2-52 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 2

Civil Infractions

2.17 Following a Fire Truck Too Closely

C. Civil Sanctions

1. Standard civil sanctions for following a fire truck too closely

Replace the text in #1 at the top of page 2-54 with the following:

1. As a general rule, if a person is determined to be responsible or responsible with explanation for a civil infraction, the civil fine shall not be more than \$100 plus costs. MCL 257.907(2). Fines for moving violations are doubled if the violation occurs in a work zone, at an emergency scene, or in a school zone (during certain periods). See MCL 257.601b.

Note: Effective January 9, 2004, 2003 PA 314 replaced references to “construction zone” in MCL 257.601b with references to “work zone.” MCL 257.79d defines “work zone.”* 2003 PA 315, effective April 8, 2004.

*See the April 2004 update to Section 1.34 for the definition of “work zone.”

CHAPTER 5

Snowmobiles

Part B—Traffic Offenses in the Snowmobile Act

5.11 Equipment Requirements

Add the following language to the second bullet on page 5-11:

Effective March 22, 2004, 2004 PA 29 amended MCL 324.82131(1) to include a provision prohibiting a person from covering a snowmobile's headlight with a lens cap of any color.

CHAPTER 6

Marine Vessels and Personal Watercraft (PWC)

Part B—Traffic Offenses in the Marine Safety Act

6.19 Failure to Report Accidents or Give Assistance at Accidents

Insert the following language as the new third bullet on page 6-24:

- Effective April 1, 2004, 2003 PA 231 provides additional penalties for the failure of a vessel's operator to satisfy the reporting requirements of MCL 324.80133 and 324.80134. MCL 324.80134a(1) states:

“The operator of a vessel who knows or who has reason to believe that he or she has been involved in an accident resulting in serious impairment of a body function or death of a person shall immediately stop his or her vessel at the scene of the accident and shall remain there until the requirements of sections 80133 and 80134 are fulfilled.”

A person who violates MCL 324.80134a(1) is guilty of a felony punishable by not more than five years of imprisonment, a fine of not more than \$5,000.00, or both. MCL 324.80134a(2).

A person who violates MCL 324.80134a(1) following an accident caused by that person that results in another person's death is guilty of a felony punishable by not more than 15 years, a fine of not more than \$10,000.00, or both. MCL 324.80134a(3).